

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HOME DEPOT U.S.A., INC.,

Plaintiff,

-against-

G & S INVESTORS/WILLOW
PARK, L.P., MELICK-TULLY &
ASSOCIATES, INC., and
JAMES A. SMITH CONTRACTING, INC.,

Defendants
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RELIASTAR LIFE INSURANCE
COMPANY OF NEW YORK,

Plaintiff,

-against-

HOME DEPOT U.S.A., INC.,

Defendant,
-----X

HOME DEPOT U.S.A., INC.,

Third-Party Plaintiff,

-against-

G & S INVESTORS/WILLOW PARK, L.P.,
Third-Party Defendant.
-----X

PLATT, District Judge.

MEMORANDUM
AND
ORDER

98-CV-6719 (TCP) (ARL)

00-CV-676 (TCP)(ARL)

Defendant G & S Investors/Willow Park, L.P. (“G & S Investors” or
“G & S”) has moved this Court for reconsideration of its Memorandum and Order

dated November 7, 2005. For the reasons adequately set forth in Home Depot's Brief in Opposition to G & S's Motion for Reconsideration, the Motion for Reconsideration is DENIED.

SO ORDERED.

s/s
Thomas C. Platt, U.S.D.J.

Dated: Central Islip, New York
January 17, 2006